

3763
PATENT
PD-0294 DIV

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of) Examiner: Lam, Ann Y.
Alfred E. Mann et al.)
Serial No.: 10/062,838) Art Unit: 2763
Filed: January 31, 2002)
For: EXTERNAL INFUSION DEVICE WITH)
REMOTE PROGRAMMING, BOLUS)
ESTIMATOR AND/OR VIBRATION ALARM)
CAPABILITIES)

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SUPPLEMENTAL TRANSMITTAL OF INFORMATION
DISCLOSURE STATEMENT

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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Dear Sir:

1. ☐ The information disclosure statement submitted herewith is being filed within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office Action on the merits, whichever event occurs last. 37 C.F.R. §1.97(b).
2. ☒ The information disclosure statement transmitted herewith is being filed *after* three months of the filing date of this national application or the date of entry of the national stage as set forth in §1.491 in an international application or after the mailing date of the first Office Action on the merits, whichever event occurred last but *before* the mailing date of either:
 - (1) a final action under §1.113 or
 - (2) a notice of allowance under §1.311
 - (3) or an action that otherwise closes prosecution.

CERTIFICATION OR FEE

- A. Included with this transmittal is

- i. ☐ a certification (set forth below) in accordance with 37 C.F.R. §1.97(e). (If for any reason the certificate set forth below should be unsatisfactory, the Commissioner is provisionally authorized to charge the \$180 fee (37 C.F.R. §1.17(p)) to Deposit Account No. 50-0621. A copy of this sheet is enclosed.)

OR

- ii. ☐ the attached fee set forth in 37 C.F.R. §1.17(p) for submission of an information disclosure statement under §1.97(c). (\$180.00).
3. ☐ The information disclosure statement transmitted herewith is being filed *after* a final action under §1.113 or a notice of allowance under §1.311, or an action that otherwise closes prosecution, whichever occurs first, but before, or simultaneously with the payment of the issue fee.

CERTIFICATION, PETITION AND FEE

- A. In accordance with the requirements of 37 C.F.R. §1.97(d):
- i. Set forth below is a certification as specified in 37 C.F.R. §1.97(e).
- ii. Applicant hereby petitions for the consideration of the accompanying information disclosure statement. 37 C.F.R. §1.97(d)(ii).
- iii. Applicant submits the petition fee set forth in §1.17(i)(1). (\$180.00).

CERTIFICATION

(Required if 2Ai or 3 above is marked)

4. I, the person signing below, certify

- ☐ that each item of information contained in the information disclosure statement was first cited in the attached communication from a foreign patent office in a counterpart foreign application and was not made in any communication dated more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(1).

OR

- ☐ that no item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application or to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(2).

STATEMENT OF RELEVANCE

5. ■ Although these references may be considered cumulative and less relevant than art previously cited, the references cited in this supplemental IDS were raised in a litigation involving a patent in the same family. Out of an abundance of caution, these references are being submitted in this supplemental IDS.
6. ■ If it should be determined that for any reason either an insufficient fee or an excessive has been paid, please charge any insufficiency or credit any overpayment necessary to ensure consideration of the information disclosure statement for the above-identified application to Deposit Account No. 50-0621. A copy of this petition is enclosed.

Respectfully submitted,

MEDTRONIC MINIMED, INC.

Date: January 16, 2004

By: 

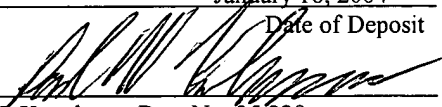
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I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Patent Application, Commissioner for Patents, Alexandria, VA 22313-1450

on: January 16, 2004
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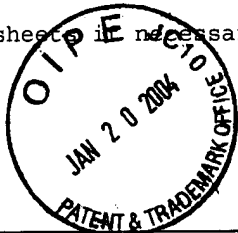
Signature: 

Paul H. Kovelman, Reg. No. 35,228

FORM PTO-1449
IREV. 7.801U.S. Department of Commerce
PATENT AND TRADEMARK OFFICEAttorney Docket
No.
PD-0294 DIVSerial No.
10/062,838

INFORMATION DISCLOSURE STATEMENT

(Use several sheets if necessary)

Applicant
Alfred E. Mann et al.Filing Date
January 31, 2002Group
3763

U.S. PATENT DOCUMENTS

Examiner Initial		Document Number							Date	Name	Class	Sub- Class	Filing Date If Appropriate
	AA	4	5	6	2	7	5	1	1/7/86	Clyde K. Nason et al.	74	111	
	AB	4	6	7	8	4	0	8	7/7/87	Clyde K. Nason et al.	417	410	
	AC	4	6	8	5	9	0	3	8/11/87	Vaughn P. Cable et al.	604	154	
	AD												
	AE												
	AF												

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FOREIGN PATENT DOCUMENTS

		Document Number							Date	Country	Class	Sub- Class	Translation	
													Yes	No
	AG													
	AH													
	AI													

OTHER DOCUMENTS

(Including Author, Title, Date, Pertinent Pages, Etc.)

AJ	"507 Insulin Pump User's Guide"; MiniMed; Pages cover-127; 5/96
AK	
AL	
AM	

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Examiner

Date Considered

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.